

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**GOLDEN GATE NATIONAL SENIOR**

**CARE, LLC, et al.,**

**Petitioners**

**v.**

**DONA SULPIZIO, as Administratrix  
for the Estate of ZOPITO JOHN  
SULPIZIO,**

**Respondent**

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**No. 1:15-cv-00174**

**(Judge Kane)**

**ORDER**

**AND NOW**, this 31<sup>st</sup> day of March 2016, upon consideration of Petitioners' Motion for Clarification of the Court's Order Dated August 14, 2015 (Doc. No. 14), and responsive briefing, and Petitioners' Motion to Compel Arbitration (Doc. No. 31), and relevant briefing, and for the reasons set forth in the accompanying memorandum, **IT IS ORDERED THAT:**

1. Petitioners' Motion to Compel Arbitration (Doc. No. 31) is **GRANTED IN PART AND DENIED IN PART**, as follows:
  - a. The Motion is **GRANTED** as to the Survival Action Claims;
  - b. The Motion is **DENIED** as to the Wrongful Death Claims.
2. Pursuant to the Alternative Dispute Resolution Agreement, the parties are **COMPELLED** to mediate, and then if necessary, arbitrate before JAMS Respondent's survival claims asserted in the action pending in the Court of Common Pleas of Cumberland County under docket number 14-7367.
3. All state court proceedings with regard to Respondent's survival action claims are **STAYED** pending mediation, and then if necessary, arbitration, in accordance with the terms of the Alternative Dispute Resolution Agreement.
4. Petitioners' Motion for Clarification (Doc. No. 14) is **DENIED** as moot.

5. The Clerk of Court is directed to close the case.

S/ Yvette Kane  
Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania